

View Response

Response #1327451

From [Hilton Parish Council](#)

[Redacted]

Date Started: 01 Jun 2026 06:25. Last modified: 01 Jun 2026 06:25

Status Complete

First Name Hilton

Last Name Parish Council

Organisation Hilton Parish Council

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Visibility Unknown.

1.

To which part of the Local Plan does this representation relate?

Please provide the reference of the policy, paragraph, policies map, evidence etc that your comment relates to. Please fill out a separate questionnaire form for each element of the plan (i.e. policy, paragraph, site, document) that you wish to comment on.

If comments do not provide a reference, or are submitted on a single form and relate to multiple elements of the Plan, then the Council will assign and/or separate these points out as it considers most appropriate for submission to the Planning Inspectorate.

You must provide an answer to this question.

Other

If 'other' please explain

In Sustainability Appraisal Appendix A, page 53 , Hilton Marston on Dove and Hoon Neighbourhood Plan, 2021

2.

Do you consider the Local Plan is:

Please check one.

Select the most applicable option in each row.

	Yes	No
Legally Compliant	<input type="radio"/>	<input type="radio"/>
Sound	<input type="radio"/>	<input checked="" type="radio"/>

3.

If you checked 'No' to Sound at question 2 above, please confirm below which of the 'tests' the Local Plan fails to meet.

Please check the relevant box.

- Positively Prepared
- Justified
- Effective
- Consistent with National Policy

4.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

Please be as precise as possible (e.g., if objecting on the basis of legal compliance, please quote the specific law that the Local Plan does not comply with). If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The Sustainability Appraisal appendix A, only indicates that the Local Plan should have 'regard' for Neighbourhood Plan policies. This falls short of the requirement under the Localism Act 2011 for Neighbourhood Plan policies to be 'owned' by the local authority once the plan and policies have been adopted. From past behaviour and the wording of these documents, it appears that there is not full ownership of Neighbourhood Plan policies by South Derbyshire District Council. This makes for less effective planning decisions.

5.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above.

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To be compliant, it is suggested that the Key Message for the Plan is rewritten as follows: "The adopted neighbourhood plan policies will be given the same weight and applied with the same diligence as the other policies in the Local Plan"

There is an advantage in putting the Neighbourhood Plan Policies on a par with those of SDDC, in that the proposed adoption of the Monitoring and Review policy would automatically include the Neighbourhood Plan Policies.

6.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Please check the relevant box

- No, I do not wish to participate in hearing sessions.
- Yes, I wish to participate in hearing sessions.

7.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.

Please write your answer in the box below.

The Neighbourhood Plan has always felt like a poor relation relative to the Local Plan. Attending the hearing would enable the Parish Council to have its concerns, evidence and proposed solution heard by the inspector. So far all attempts to engage SDDC in such a review have failed.

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From [Hilton Parish Council](#)

[Redacted]

Date Started: 01 Jun 2026 06:28. Last modified: 01 Jun 2026 06:28

Status Complete

First Name Hilton

Last Name Parish Council

Organisation Hilton Parish Council

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Visibility Unknown.

1.

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You must provide an answer to this question.

Other

If 'other' please explain

Sustainability Appraisal Appendix A, Local Programmes, Plans and Strategies

2.

Do you consider the Local Plan is:

Please check one.

Select the most applicable option in each row.

	Yes	No
Legally Compliant	<input type="radio"/>	<input type="radio"/>
Sound	<input type="radio"/>	<input checked="" type="radio"/>

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The Sustainability Appraisal Appendix A, Local Programmes, Plans and Strategies section omits SDDC policy Ecological Emergency.

As this policy is intended to bring ecological considerations as a strategic priority into all areas of council engagement, the Local Plan needs to refer to and take into account this policy.

5.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above.

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In the Sustainability Appraisal Appendix A, Local Programmes, Plans and Strategies section, the Ecological Emergency policy needs to be referenced, with Objectives and Key Targets stated as by SDDC on their website.

Under the Key Message for the Plan section, it should state “Ensure that the Plan gives weight to this policy as a strategic priority alongside all other planning considerations.”

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Please check the relevant box

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«No response»